97-7192

G. R. S. IX-5]

Previous references.

L. R. 136-91.

1891-92.

~~192-~~.

(L. R.)

File No. 137-1

Serial Nos. 1—0

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1—6

Major Press B for Judge

SUBJECT.

Petition of Ingrisan the Collector of Sylhet re. the Sale of Sen: Mar 26. in mauzah Manchetterachhega.

Decided

DB

WD 2253—GPB—20,000—11-6-20

Togai Kanhai Mohandin Sale of Land

Complains that some Cotton Land of his was sold at public auction when the misrepresentation of Rassool Khan, who has purchased the same at the auction for Rs 3000 odd.

He says he appealed agt the Dy Com's order Confirming the Sale but has not received any final orders of the Case.

His allegation is that there was an Error in the Survey demarcation but that the Land was long in his possession and had been planted by him several years ago & was in his possession. He quotes previous orders in his favor of 1871.

Chief Sec.

Please peruse the papers & let me know what has become of the appeal or whether it is still pending before the Commr? He promises the accompanying papers from which he will be further advised. The Sale appears to have taken place about 4½ years ago & I cannot help him much now I am afraid. However we should give him some relief if he has petitioned as he says & the Case is pending before the Commr it is proper the Commr should hear these parties.

26/10/91

Acknowledgement

Certificate

1 Appointment
2 / 7 Certificates attached

Ltd 3/12

Appointment
(Photographer [illegible]) with
[illegible] forwarded [illegible]
for a new card signed with
[illegible] to this number 43 [illegible]
Rozeplaat

Ltd
31/or

Dropped
H.V.

9-3

Notes & explanatory of
the District Surveyor's sketch Map
Submitted.

A D Red ink line - shews the boundary as laid down between 26 & 61 in the new Map of the Village.

A B C D Shews the boundary between the two nos: as borne out by the old map produced by the Shanbhog, the old map obtained from the Survey Dept, the Kacha Tippan Book, & the Plot.

C There is a stone fixed at this point.

B. There ought to have been a stone here. The space is now occupied by a road & a cattle shed.

A. There ought to be 5 Bunds here. The bund marked (— x) which was not according to the "plot" has been rectified by the Bank Inspector in accordance with the new map. The bunds (— & — x) according to the old map connected should be connected with each other. They are not so now.

A B C = Cultivated portion adjoining no: 61 in the Khata of Mohodin Sab. (In the space enclosed by red pencil dotted lines Nurseries have been formed by Mohodin Sab. The blue pencil coloured portion

Contains Coffee in bearing = 4

K

29/4/92

With a view to shew that Mr. H.D. Campbell & Hermann Heilbron trading as Campbell Morris & Co. of Durban for Hermann Heilbron of Durban, which is dated 20th June 1851 applies for Land lying between Umpumulwana River & Umkomaas River & Umkomaas River & Umkomaas

T. A. - 28 92

5

Memo

Petition no. 1405.

Petitioner -
Jofari Lankal Mohomsab
of Tarikere.

Case under Rule I Cl (11) -
Disposal of occupancy
rights - of the Additional Rules.

(Sketch map in hand -)

survey no: 61 of the man-
-chatteram village is the
Petitioners land called
Hemadihalli Kan. In 1888
he applied for the adjoining
Coffee land no: 26, 4 acres
58-5 acres. When the sale
notice was published Mr.
Davis Conapalais & Rasool
Khan Sahib petitioned
the Amildar that the land
should not be sold as it was
useful for cattle &c: their
petition was not taken notice
of, and the land was
put up for sale on 25th
May 1891. The petitioner
bid for it up to Rs: 2007.
The highest bid was that of
Rasool Khan Sahib for Rs 3600.

b

The Petitioner has requested the Dy: Comr: either to grant the land to himself (Petr:) or to retain it as Govt: land for the following reasons –

(1) a portion of the present Sur: No: 26 had formerly formed part of the Kemadi Lalli Kan but during the survey the Measurers included the portion in Sur: No: 26

(2). The Petitioner learnt this subsequently & gave a Darkhast for the whole of Sur: No: 26

(3). The Petitioner thought that the sale would be held formally & the land applied for would be given him.

(4). Petitioners Cattle-pen & other huts are on the land, which contains 3 path ways also.

(5) Sur: No: 26 adjoins Petitioners Kemadi Lalli Kan. (Sur: No: 61).

In June 1891 the Dy: Comr: (Col: Campbell) declined to interfere with the sale, on the ground that the survey took place 10 years ago;

7

that his Petition made no mention in his Declaration of having found out that a portion of his Estate had been included in the Survey No: 26 applied for. and that 2 acres & 5 Guntas of land had been reserved for the path ways.

On a further report from the Amildar the same Dy: Coll: observed that it seemed highly probable that the Petitioner encroached upon Sur. No: 26 & planted it with Coffee several years ago; and that the Petitioner was actually in possession of a portion of Sur. No: 26 must have been well known to Ramaiah when he entered the Petitioner; & that the Petitioner could not be summarily ejected from No: 26 until the boundary marks & the boundary line had been determined. The Dy Comm: however on 11.7.9 Confirmed the sale, & directed the District Surveyor to determine the boundary line between Sur. Nos. 26 & 61.

From the surveyors report it has been ascertained that the Re-survey Map of 1885 shews the boundary

be as A D, as shewn
by the red ink line on
the sketch map; but the
old map produced by the
Shambles & the old maps
obtained from the Library
Dept & the other references
obtained from the Survey
Dept shewed the boundary
line as A, B, C, D, (by means
of a black ink line on
the sketch map. The shaded
portion A B C is cultivated.
The portion enclosed by red
pencil dotted lines contains
Petitioners' messuages. Thus
the Petitioners hold a portion
of No. 26 beyond the present
boundary line A D in
red ink.

The present day Owner
then decided that the
Petitioners should acquire
Owner have the disputed
portion between the lines
A D & A B C D; that
the Dukes Ranmoel sale
had no bein upon this
piece of land; & that he
should abide by the boundary
line B. C. D.

This order has been
communicated to the
parties. The Petition under
reference is an old one, dated
23rd July 1891. The last order
of this Department was issued
in March 1892. The Petitioners
has not complained against

this

this last order of this Dy
Comm[r].

12/7/92

under these
circumstances,
the latter under
reference may be
simply Recorded

13/7/92

order

Recorded, the
matter having been
finally disposed of
by the Dy Comm[r]
March 1892

13/7/92

Ch Asst Comm[r]
in charge
18/7/92

The case was decided
on 24th March 1892.
The orders were made
on 26th March 1892.

No 128 (1) Pet^n

(General Serial No. 32.)

1891-92

490
Mysore
15-9-91

No. 1405

Name of Petitioner. Yogari Hanmal
Mohadi Sabi of

Village. Lampigē Hatti Kan

Peter was blind, he could
not discover the mistake
of the survey right at the
time of the Survey.
Peter therefore begs exit
that the said land may

2/2/1

11.05

Court Fee Stamp

No. 45—(2)

15

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition ~~No.~~ Camp Regd No 490/1605 Dated 3rd July 1891 received at the Dewan's Office from Jagari Hankal Mohadeen Sabi of Sampige Hatte Kaval in the Tarikere Taluk

is forwarded, together with its one enclosure, to the Deputy Commissioner, Kadur District for disposal

By Order,

Draft

Camp Mysore 16 ~~September~~ Sepr 1891.

Chief Secretary.

(3)

(General Serial No. 30).

1892.

From 1127-91-3

To The Deputy Commissioner Kamrup Dist.

Dated 16th February

Despatched 16th do

Received same date

Enclosures No. 1

General No. 12326 R.
Special No. 721

Sir,

I have the honour to forward copy of Memo in re Tajri Chandra Mohantin Sal of Tarifpur Tauli complaining against the sale of Rice Coffee land & his encroachment by the Misrepresentation of Rassool Khan, for a very early report with reference to this office No. 1127-91-3 dated 13/9/92 & No. 1683 dated 17/9/92

By Order

Chief Secretary.

17

(5)

No 91 R.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 3626 dated 29th Dec 1892 received at the Dewan's Office from Togri Hanmaé Venkadasa Setty, Coffee planter of Sampaje Kattè Khane, Subrahmanya Taluk,

is forwarded, ~~together with its enclosures~~, to the Deputy Commr. Kadur for disposal and ends, in cont. of Mem. No. 43 dt 16 Septr 1891. 5th Octr

By Order,

Dumbt

Jany 28/93

for Chief Secretary.

BANGALORE, March 1893.

N

(6)

(General Serial No. 30.)

1892.

13186
30 MAR 92
P. 42

From

24-3-92

To

The Chief Secretary to the Dewan of Mysore

Dated

Despatched 26th March

Received

Enclosures No. 24 vernacular papers.

General No. 6837892.
No.

Submitting for information a short abstract of the case containing copies of orders passed on the Complaint of Lagnikantai Muhadin Saheb of Sankere &c.

Koan Digitte Esqr 29-3-92

Read and
Please peruse
a clear memo
of the case &
send it to
me
A.L.
11/7/92

Submitted -
Memo put up.
H.
12/7/92

Submitted -
The case falls under
Rule 11 of Chapter 23 of the
Hdqrs. Rules -
The case does not
admit of any delay
Submitted to the Council
from the beginning
References put up
Submitted for Orders
of the Chief Secretary
29/7/92

13a
29-8-92

(6)

(General Serial No. 30.)

19

1892.

From The Deputy Commissioner
Kadur District

To

The Chief Secretary to the Dewan
of Mysore.

Dated 24th } Sauthweri
Despatched 25th } March
Received

Enclosures No. 1 paper, duplicate

General No. 683
No.

Sir,

In reply to your Memo and docket next in the margin, I have the honour to submit for the information of Government a brief abstract of the case containing copies of orders passed by Col. Campbell and myself in the matter of the Complaint preferred by Nagenahalli Mo[illegible] and to state that the above

1. Memo No. 45 dt 16th inst. 91.
2. Do. - No. 2256 / 92 dt 4th Feb. 92.
3. - Reminder do No. 4226 / 86 dt 11th March 92.

above order have been communicated to the parties concerned. —

The surveyor will be directed to fix the stones in proper places and the survey superintendent requested to have necessary corrections made in the Map and Skarband. —

The petition, received with Memo No. 45 dated 16th September 1891, is herewith returned with its enclosure.

I have the honor to be

Sir,

Your most obt. servant

H H Cousins

Deputy Commr &c

Kaira

(b)

Court to meet at Swansea on

Monday ——— with the date of

a Court in the Carmarthen District.

Carmarthen District

Llanstephan Village.

Application from Rees

Thomas Davies Esq for office

Land Surveyor & Valuer.

10th May 32. The Commissioners after inspecting the Court and speaking an Extract of a Lease and Grant for Lath Quays they did the same find to be correct. The Applicant did the Land for the Quays Lease and Grant for the Quay by Lease and Lease from the Court was Knocked down.

5th May 32. Application for Admission as Court in the following Petition

12

appeared the said Lacy Jones
Sr. Jonathan ——— Lacy
Mc Lee of Pennsylvania village
district on the 16th of May 1820
and said that Estate had given
a part of the said Estate formerly
left the Lacy Descendants reserving
included that portion the Lacy
Mc Lee during the Lacy - Jones
that Lacy Lane's two third share
if did not come to my notice
d - (illegible) came to Lacy
that 2 thirds of the land, &c.
Executed the notice to the said
Lacy Jones and executed a
Receipt for 1820. Dated
this 25th March 1821 Lacy Jones
Signed before the Magistrate
Certificate today that the 1820
to appeared to my Lacy that if
Should be given to the appe-

Submitted -
The Petitioner
in his petition to
this office states that
after giving a deri-
ption of the land
& when the Plaintiff
came to inspect
it, he came to
know that he
had lost some
of his land, & that
when he represented
the matter to the Plaintiff
he promised to submit
a report.

Estimated value £ of Estate free
duty without sale. The Probate authority
having acted for the Applicant from
me. Signed &c. &c. &c.

After a long correspondence
the Land was at last sold on
26th May when I believed that
the Sister would surrender the
sale and give the Land to me.
As it was adjacent to me and
to no body else.

So soon as the sale notice
was published Mrs Lucas Jones,
Trustees and Executrix under
Settlement the Applicant in the
affect that the Land should not
be sold as it was required for Public
Main Sewers was not complied
with and the Land was prepared
for sale in detail. Except that
sale was the highest tender for
Rs 3.6.9 £. The bid was high

because the passage-track does annoy [illegible]
right one. These I beg to state as follows:-

(1) I pay rent and enjoy my State Land. Consequently I will have [illegible] State and the Boundaries in it are appurtenant to my Estate.

(2). My cattle do graze in this land.

(3). There is a cattle-run belonging to me in it.

(4). There are huts of mine for cattle.

(5) There are 2 pathways.

1. leading to my Swamp in Mahal Kani Estate.
2. Mannadiyan - Thirthe.
3. Cattle path - my leading to Mahal Kanimathi and other side.

If the land within limits of the above be given away, Kanimathi Mahal Estate Land is assigned for Agricultural purposes, will suffer.

I beg that my statement before the Minister and the Village

Mr Minister- This is not clear. The petitioner in his petition says his cattle that his cattle shed & 3 or 4 roads used by Cattle & People are in No. 26, which is adjacent to his Kandi-Kallikam & quite close & connected with the "Kuri-Kkana" house (on the Kandi-Kalli Estate).

Village Map (Examined, will carry
convict that my representations are
true - In consideration of the fact that
the land should be granted
to me at the ordinary Government
=ment land -

Abstract
Re Crown Lands Office
is also to this
Office.

1st June 87

Crown Granted issued the
following order -

The Survey took place about
12 years ago - at which time ac-
=cording to Agricultural Regulation
all the Natives included some
of his land in his 24 - He says
that he did not know the reason
he was allowed but he was not
explain time & when he afterwards
came to Know it -

Abstract -
After giving Declaration
Respt & when
his Lingadahalli
Re Kadur Cause
= inspected he
found out that (Report)
had lost some of
his Cocoa (Vide
Revenue Office)
Report
Office).

In his Petition of 1st September
1886 he makes no mention of
this Necessity -

I submit his Statement to the
Matter in Issue by the

the efficacy of 914 it have no foundation in _____ fact.

The Petitioner himself applied for the land, and then filed for it after 5 days. He has been settled and now, under the Application.

2 years and 3 months have been passed for patenting. This was made known at the time of Inquiry, but this year should be strictly enquired into that there may be no dispute in future.

I see no reason to interfere at present with the Order.

On receipt of further report 11-7-91. from the Commissioner Col. Inquiry passed the following order.

From a further report received from the Commissioner it seems highly probable that Ramadin had encroached upon Rs 2 or 3 Bighas of land which caused serious quarrel between the Inquiry to Obtain

possession of the property without
auction if possible.

Accordingly this is to give
you legal notice that Indian Lot
No. 24 is claimed, and you cannot
claim the right of No. 24.

The measurement of Indian
Lot does not seriously impact
to notice by the local officials.
But that Indian Lot was actually in possession of a portion
of No. 24. Magistrate has made
known to Accused who when
he was bidding at auction.

However this may be, Indian
Lot cannot be measured
made until the boundary marks
on boundary line of No. 24 have
been determined after an en-
quiry as provided for in
Sec. 12 - 25 and 29 of the
Land Revenue Code.

In the meantime

There is no reason why the
old heads of the engines,
and other heads issue accordingly.

An order was given to the
Municipal engineering the rule, that
the District Surveyor was directed
to reexamine the boundary line
of No 26 and 27 in terrace of
the Surveyed right of way which
the following rules have
been traced.

The District Surveyor was
directed to determine the bound-
ary between the Nos 27 and 26
the former of which belongs
to Isabella Hall Archibald
and the latter to Ransom Cobb. — (Burchard)
Carried. The draft required
by the Surveyor is herewith
transmitted.

The Secretary read a let-
ter from the Secretary to the U. S. (in red ink)

The

The boundary now shown on the diagram, has created the South Eastern and the Eastern fields on which the position and direction of bearings is N.W. & S.E.

A position can be obtained by reference to the boundary N.E. & S.W. before the Government map was made and sighted created it to be within the boundary and has since been existing it. The boundary must now abide by the facts shewn in the Eastern Extension and A position could be there for the rightful owner of the piece of land disputed viz. the space of land comprised between the boundary lines N.E. & S.W. and N.W. & S.E.

Proof could then be had on the piece of land under dispute and must abide

Mr Brimblecombe -
The District Surveyor by means of the sketch map explains that the boundary between the Nos. is shewn as A B C D notwithstanding the old village map produced by the Chamberlain but also on the Sketch map obtained from the Survey Dept. Mr Kuchler's Measurement respecting the Plot books also shewing the boundary as A B C D.

by the Secretary S. L. R. 20

The extent of land agreed by Excise Cattle to be kept for, Lands Key in Dec 26 will remain unaltered.

Intimation of this decision to be given to all parties and to the Inspecting Officers.

Mr Mumford - It is not clear whether the parties concerned agree to the decision Comet. M.

Papers to be sent to the Secretary Disposing for attention of the Inspecting Officer.

A copy of this with accompanying sketch of the Ry. and Locomotive to be forwarded to Government in duplicate 1/3 $\frac{12\frac{3}{8}-1}{42}$ of 1/- February 1922.

Yours &c.

Copy to Secretary Excise Dept.

Navigating

for Dy: Commissioner

Kadina

Ans.

(ع)

31

ಅವರು ಬಹಳ ಪ್ರಸಿದ್ಧ ವೈದ್ಯರು ಅವರ ಹತ್ತಿರ ಬಹಳ ಜನ ಬರುತ್ತಾರೆ - ನಿಮಗೆ ಗೊತ್ತಿದೆಯೆ

1 (A · D) ನಾವು ಸಮಸ್ಯೆಯಲ್ಲಿ ತಿಳಿಸಿರುವ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆಯೆ - ಇಲ್ಲಿ ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆ - ದಯವಿಟ್ಟು ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿ - ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆ - ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆ - ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆ - ಬಿಟ್ಟ ಹಾಗೆ ಮಾಡಿದ್ದೇವೆ

2 (A · B · C · D) ಅವರು ಬಹಳ ಪ್ರಸಿದ್ಧ ವೈದ್ಯರು - (ಬಿ) ನಾವು ಅವರ ಹತ್ತಿರ ಹೋಗಿದ್ದೆವು ನಾವು ಅವರ ಹತ್ತಿರ ಹೋಗಿದ್ದೆವು - ಹೋಗಿದ್ದೆವು ಅವರು ಬಹಳ ಪ್ರಸಿದ್ಧ ವೈದ್ಯರು -

5 (A · B · C) ...

...

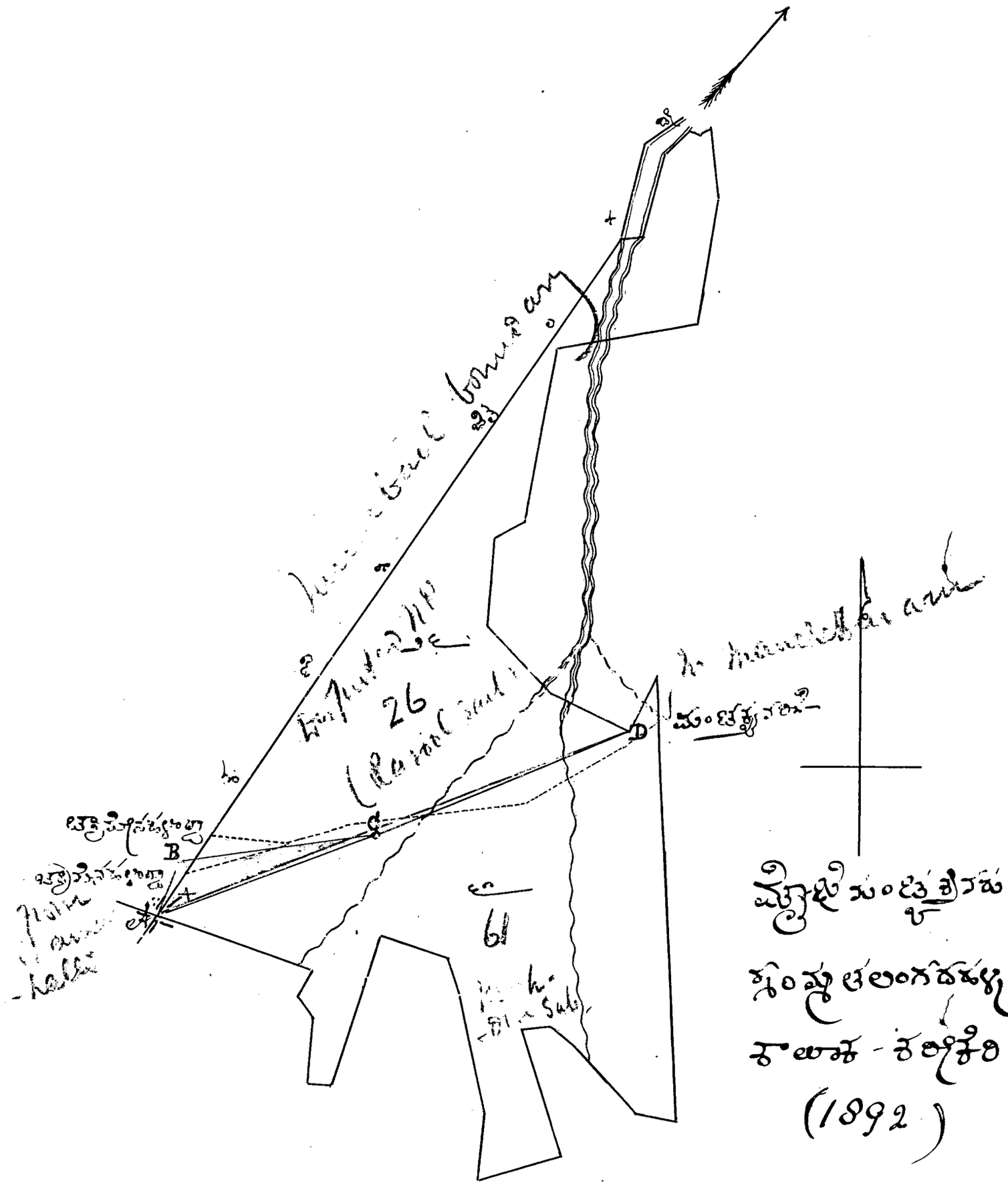
6 (A · B · C · D) ...

ಸಹಿ

ಹೆಸರು

ಹುದ್ದೆ

34



ಮೈಗಳಿ ಮಂದಿರ ಶೀಮಹ

ಸಂಸ್ಥಾನ ತಲಂಗದಹಳ್ಳಿ

ತಾಲೂಕ - ತರೀಕೆರೆ

(1892)

(7)

(General Serial No. 30.)

1892.

From

The Chief Secretary
to the Dewan of Mysore.

To

The Deputy Commr
Kadur Dist

Dated

Despatched 20 July

Received

enclosures will follow

Enclosures No. ~~with enclosures~~

General No. 980

Pol-No. F No 71

Regarding the abstract of records in connection with the complaint of Togribanka Venkiah Setty of Tarikere in re the sale of Survey No 26 Thirumenahalli village in the said taluk.

References to be marked.

Recd :-

36

Letter No 633 dt 26th March 92 from the Dy Commissioner, Kadur dt the submitting abstract of records selected with reference to the complaint of Jogi Kunbis Kuchadin Taluk of Tarikere in re the sale of S. No 26 of the said Taluk

Manchenahalli village in Mu

Order

Recorded, the matter having been finally disposed of by the Deputy Commissioner in March 1892.

Draft

18/4/92

No 987 Chief Secretary
Pol. F. 71—22-30

To

The Dy Commr Kadur

dtd for information with enc:

8/4

(General Serial No. 32.)

1891-92

No. 1405

Name of Petitioner. Togari Hankal Mohadi Sabi of

Village. Lampigē Hatti Kan

Taluk. Yarikere

District. Kadur

Date of Arzi. 3rd July 1891

Date of Receipt. 28-7-91

Date of Disposal.

No. of Enclosures. one.

ABSTRACT.

Petr complains that a
of land which is
situated to the nor
of his coffee plantation kno
as Hemadihalli Kan in
Sorne Taluk, which formerl
formed an integral portio
of the said Kan, and on whic
there are his cattleshed an
also 3 or 4 pathways for
cattle and men, was
wrongly included in S.
No 26, and that Survey
26 was sold by publicc
to Haji Rasul Khan in
of Petr's representation t
Dy Comr and the Asst

Petr was blind, he could
not discover the mistake
the Survey dept at the
time of the Survey.
Petr therefore begs etc
that the said land may
be sold to him for a reasonable
price, or it may be
resumed and returned
Govt land.